



**CITY OF BUFFALO**  
**DEPARTMENT OF LAW**

**EXHIBIT**

**A**

# City Court of Buffalo – Department of Police Central Booking Bureau

## MISDEMEANOR/VIOLATION INFORMATION

State of New York, County of Erie, City Court of Buffalo

### THE PEOPLE OF THE STATE OF NEW YORK

VS	DEFENDANT(S)	DOB	CASE NO.
VS	<u>JAIME O DIAZ</u>	<u>          </u> /69	<u>14-05951-98</u>
VS	<u>          </u>	<u>          </u>	<u>          </u>
VS	<u>          </u>	<u>          </u>	<u>          </u>
VS	<u>          </u>	<u>          </u>	<u>          </u>

I, PO WILLIAM MACY accuse the above named defendant(s) in this action, that on or about 09/02/14 @ 1735HRS in the City of Buffalo, did intentionally, knowingly and unlawfully commit the misdemeanor/violation of HARASSMENT IN THE SECOND DEGREE Contrary to the provision of 240.26-1,3 (2CTS) of the ☒ Penal Law ☐ Vehicle and Traffic Law ☐ \_\_\_\_\_ Law of the State of New York ☐ Ordinances of the City of Buffalo.

The facts upon which this accusation is based are ☐ of my own knowledge ☒ on information and belief.

#### 240.26-1,3(2CTS) - HARASSMENT IN THE SECOND DEGREE

IN THAT THE DEFENDANT, JAIME DIAZ, WHILE AT 7 MARINE DRIVE, WITH INTENT TO HARASS, ANNOY, AND ALARM, DID STRIKE, SHOVE, KICK OR OTHERWISE SUBJECT SUCH OTHER PERSON TO PHYSICAL CONTACT OR ATTEMPTS OR THREATENS TO DO THE SAME OR ENGAGES IN A COURSE OF CONDUCT OR REPEATEDLY COMMITS ACTS WHICH ALARM OR SERIOUSLY ANNOYS SUCH PERSON AND SUCH SERVE NO LEGITIMATE PURPOSE, IN THAT THE DEFENDANT DID ON SEVERAL DIFFERENT DATES DID ALARM RESIDENTS OF THE MARINE DRIVE APARTMENTS BY ACTING ERRATICALLY. THE DEFENDANT DID BREAK CHAIRS, SMEAR KETCHUP IN THE ELEVATORS, PLACE THUMB TACKS ON THE FLOOR, PULL DOWN HIS PANTS AND EXPOSE HIMSELF, AND THREATEN SEVERAL RESIDENTS. DEFENDANT DID PUSH A 78 YR OLD RESIDENT AND BREAK SEVERAL GARDEN POTS. DEFENDANT HAS THREATENED RESIDENTS AND HAS STATED HE WAS GOING TO "GET THEM ALL." ON THE ABOVE DATE AND TIME OFFICERS RESPONDING TO INVESTIGATE NUMEROUS COMPLAINANTS REGARDING THE DEFENDANT THE DEFENDANT DID ANSWER THE DOOR NAKED WITH A FORK IN HIS HAND. DEFENDANT DID REFUSE TO OBEY OFFICERS ORDERS TO PUT PANTS ON DEFENDANT DID BECOME IRATE AND BEGIN MAKING STABBING MOTIONS WITH THE FORK TOWARDS OFFICERS. ABOVE STATED ACTIONS BY THE DEFENDANT DID HARASS, ANNOY AND ALARM RESIDENTS AND SERVES NO LEGITIMATE PURPOSE.

#### 240.45 -1 - CRIMINAL NUISANCE IN THE SECOND DEGREE

IN THAT THE DEFENDANT, WHILE AT 7 MARINE DRIVE, BY CONDUCT EITHER UNLAWFUL IN ITSELF OR UNREASONABLE UNDER ALL THE CIRCUMSTANCES, HE KNOWINGLY OR RECKLESSLY CREATES OR MAINTAINS A CONDITION WHICH ENDANGERS THE SAFETY OR HEALTH OF A CONSIDERABLE NUMBER OF PERSONS. IN THAT THE DEFENDANT DID ON SEVERAL DIFFERENT DATES DID ALARM RESIDENTS OF THE MARINE DRIVE APARTMENTS BY ACTING ERRATICALLY. THE DEFENDANT DID BREAK CHAIRS, SMEAR KETCHUP IN THE ELEVATORS, PLACE THUMB TACKS ON THE FLOOR, PULL DOWN HIS PANTS AND EXPOSE HIMSELF, AND THREATEN SEVERAL RESIDENTS. DEFENDANT DID PUSH A 78 YR OLD RESIDENT AND BREAK SEVERAL GARDEN POTS. DEFENDANT HAS THREATENED RESIDENTS AND HAS STATED HE WAS GOING TO "GET THEM ALL." ON THE ABOVE DATE AND TIME OFFICERS

RESPONDING TO INVESTIGATE NUMEROUS COMPLAINANTS REGARDING THE DEFENDANT THE DEFENDANT DID ANSWER THE DOOR NAKED WITH A FORK IN HIS HAND. DEFENDANT DID REFUSE TO OBEY OFFICERS ORDERS TO PUT PANTS ON DEFENDANT DID BECOME IRATE AND BEGIN MAKING STABBING MOTIONS WITH THE FORK TOWARDS OFFICERS.

145.00-1

CRIMINAL MISCHIEF IN THE FOURTH DEGREE

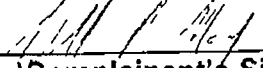
IN THAT THE DEFENDANT, WHILE AT 7 MARINE DRIVE 7B HAVING NO RIGHT TO DO SO NOR ANY REASONABLE GROUND TO BELIEVE THAT HE HAD SUCH RIGHT, DID INTENTIONALLY DAMAGE THE PROPERTY OF BMHA, IN THAT THE DEFENDANT DID ON 2 SEPARATE OCCASIONS BREAK THE GARDEN POTS AND LAWN CHAIRS OF THE BMHA PROPERTY LOCATED AT 7 MARINE DRIVE. APPROXIMATE VALUE TO BE DETERMINED AT A LATER DATE. DAMAGE NOT EXCEEDING \$250.00.

MMY

Please take notice, pursuant to CPL 710.30, of the People's intent to offer at trial, evidence of defendant's statements to a public servant as referenced above.

Relationship: NONE

NOTICE: False statements made herein are punishable as a Class A Misdemeanor pursuant to Section 210.45 of the New York State Penal Law.

		<u>PO/ HOUSING</u>	<u>09/02/14</u>
<b>Officer's/Complainant's Signature</b>		<b>Rank/Assignment</b>	<b>Date</b>
Supporting Deposition(s) Attached?	Yes [X]      No [ ]		

**City Court of Buffalo – Department of Police  
Central Booking Bureau**

**MISDEMEANOR/VIOLATION INFORMATION**

State of New York, County of Erie, City Court of Buffalo

**THE PEOPLE OF THE STATE OF NEW YORK**

DEFENDANT(S)	DOB	CASE NO.
VS <u>JAIME O DIAZ</u>	<u>      </u> /69	<u>14-05951-98</u>
VS <u>      </u>	<u>      </u>	<u>      </u>
VS <u>      </u>	<u>      </u>	<u>      </u>
VS <u>      </u>	<u>      </u>	<u>      </u>

I, PO WILLIAM MACY accuse the above named defendant(s) in this action, that on or about 09/02/14 @ 1735HRS in the City of Buffalo, did intentionally, knowingly and unlawfully commit the misdemeanor/violation of OBSTRUCTING GOVERNMENTAL ADMINISTRATION IN THE 2<sup>ND</sup> DEGREE Contrary to the provision of 195.05 of the ☒ Penal Law ☐ Vehicle and Traffic Law ☐ \_\_\_\_\_ Law of the State of New York ☐ Ordinances of the City of Buffalo.

The facts upon which this accusation is based are ☒ of my own knowledge ☐ on information and belief.

**195.05 OBSTRUCTING GOVERNMENTAL ADMINISTRATION IN THE 2ND DEGREE**  
IN THAT THE DEFENDANT, WHILE AT 7 MARINE DRIVE 7B, DID INTENTIONALLY OBSTRUCT, IMPAIR, PREVENT THE ADMINISTRATION OF LAW, PREVENT THE ADMINISTRATION, OF A GOVERNMENTAL FUNCTION, ATTEMPTED TO PREVENT A PUBLIC SERVANT FROM PERFORMING AN OFFICAL FUNCTION BY MEANS OF INTIMIDATION, PHYSICAL FORCE, INTERFERENCE, AN UNLAWFUL ACT IN THAT THE DEFENDANT DID ON THE ABOVE DATE, TIME AND LOCATION WHILE OFFICERS WERE INVESTIGATING SEVERAL COMPLAINANTS FROM RESIDENTS OF THE MARINE DRIVE APARTMENTS REGARDUNG SEVERAL DIFFERENT INCIDENTS INVOLVING THE DEFENDANT, THE DEFENDANT DID ANSWER THE DOOR NAKED WITH A FORK IN HIS HAND. DEFENDANT DID REFUSE TO OBEY OFFICERS ORDERS TO PUT PANTS ON DEFENDANT DID BECOME IRATE SWEARING AT OFFICERS STATING "YOU MOTHER FUCKERS ARE IN MY HOUSE." AND MAKING STABBING MOTIONS WITH THE FORK TOWARDS OFFICERS. DEFENDANT AGAIN REFUSED TO OBEY OFFICERS ORDERS TO DROP THE FORK FROM HIS HANDS. OFFICERS DID HAVE TO HIT THE FORK FROM THE DEFENDANTS HAND. THE DEFENDANT BECAME COMBATIVE, STRUGGLED WITH OFFICERS AND HAD TO BE FORCIBLY SUBDUED AND PLACED INTO CUSTODY.

**205.30 RESISTING ARREST**

IN THAT THE DEFENDANT, WHILE AT 7 MARINE DRIVE 7B DID INTENTIONALLY PREVENT PO WILLAIM MACY, A POLICE OFFICER FROM EFFECTING THE AUTHORIZED ARREST OF HIMSELF, IN THAT THE DEFENDANT DID ON THE ABOVE DATE, TIME AND LOCATION WHILE OFFICERS WERE INVESTIGATING SEVERAL COMPLAINANTS FROM RESIDENTS OF THE MARINE DRIVE APARTMENTS REGARDUNG SEVERAL DIFFERENT INCIDENTS INVOLVING THE DEFENDANT, THE DEFENDANT DID ANSWER THE DOOR NAKED WITH A FORK IN HIS HAND. DEFENDANT DID REFUSE TO OBEY OFFICERS ORDERS TO PUT PANTS ON DEFENDANT DID BECOME IRATE SWEARING AT OFFICERS STATING "YOU MOTHER FUCKERS ARE IN MY HOUSE." AND MAKING STABBING MOTIONS WITH THE FORK TOWARDS OFFICERS. DEFENDANT AGAIN REFUSED TO OBEY OFFICERS ORDERS TO DROP THE FORK FROM HIS HANDS. OFFICERS DID HAVE TO HIT THE FORK FROM THE DEFENDANTS HAND. THE

DEFENDANT BECAME COMBATIVE, STRUGGLED WITH OFFICERS AND HAD TO BE FORCIBLY SUBDUED AND PLACED INTO CUSTODY.

**120.14-1 MENACING 2ND DEGREE**

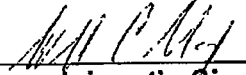
IN THAT DEFENDANT, DID INTENTIONALLY PLACE PO ANNIEL VIDAL, LT RUSSO, PO WILLIAM MACY, PO WILLIAM ROBINSON, IN FEAR OF IMMINENT SERIOUS PHYSICAL INJURY BY MEANS OF A DANGEROUS INSTRUMENT OR DEADLY WEAPON, TO WIT: A FORK. IN THAT THE DEFENDANT DID ON THE ABOVE DATE TIME AND LOCATION WHILE OFFICERS WERE INVESTIGATING SEVERAL COMPLAINANTS FROM RESIDENTS OF THE MARINE DRIVE APARTMENTS REGARDUNG SEVERAL DIFFERENT INCIDENTS INVOLVING THE DEFENDANT, THE DEFENDANT DID ANSWER THE DOOR NAKED WITH A FORK IN HIS HAND. DEFENDANT DID REFUSE TO OBEY OFFICERS ORDERS TO PUT PANTS ON DEFENDANT DID BECOME IRATE SWEARING AT OFFICERS AND MAKING STABBING MOTIONS WITH THE FORK TOWARDS OFFICERS. DEFENDANT AGAIN REFUSED TO OBEY OFFICERS ORDERS TO DROP THE FORK FROM HIS HANDS. OFFICERS DID HAVE TO HIT THE FORK FROM THE DEFENDANTS HAND.

MMY

Please take notice, pursuant to CPL 710.30, of the People's intent to offer at trial, evidence of defendant's statements to a public servant as referenced above.

Relationship: NONE

NOTICE: False statements made herein are punishable as a Class A Misdemeanor pursuant to Section 210.45 of the New York State Penal Law.

		<u>PO/HOUSING</u>	<u>09/02/14</u>
<b>Officer's\Complainant's Signature</b>		<b>Rank/Assignment</b>	<b>Date</b>
Supporting Deposition(s) Attached?	Yes [X]      No [ ]		

## SUPPORTING DEPOSITION

CD 11 245-0136

Buffalo Police Department

Buffalo, New York

Arrest No. \_\_\_\_\_

STATE OF NEW YORK

COUNTY OF ERIE

CITY OF BUFFALO

SS:

\*(Strike out non-applicable words / phrases)

(DEFENDANT'S NAME)

Date \_\_\_\_\_ 19\_\_\_\_

In the matter of \_\_\_\_\_, charged with the offense of \_\_\_\_\_  
(NAME OF OFFENSE)

Section

in violation of Chapter \_\_\_\_\_

Subdivision \_\_\_\_\_

Section \_\_\_\_\_

☐ Vehicle & Traffic Law of New York State☐ Penal Law of New York State☐ Ordinances of the City of Buffalo

(DEPONENT'S NAME)

(DEPONENT'S ADDRESS NO.)

STREET

CITY/STATE)

Christine Kiesling

deposes and says that at about 1730 AM on 2<sup>ND</sup> day of Sept 2014 19\_\_\_\_ in the City of Buffalo-

\*(STRIKE OUT NON-APPLICABLE WORDS/PHRASES)

\*A. OF MY OWN KNOWLEDGE. \*B. UPON INFORMATION AND BELIEF \_\_\_\_\_

On Saturday 8/30/14 I was confronted by the person from 7B, he was acting funny and I watched what he was doing he turned to me and asked if I had a problem - I just looked at him and he said "your eyes speak to me with love" and stepped forward me and I said "No" and left quietly. He came down hours later & ripped all the papers off the bulletin board & said many times "I'm going to get them all". Later the evening he pinned a condom & a sign "bitch" which I think was left for me. I know <sup>recently</sup> he has been getting louder and making contact with other women and I didn't want that attention. I feel very unsafe with him and his gestures & antics. His progressing in his actions and were all afraid of him. He sets out to scare us and he does.

## JURAT

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_

19\_\_\_\_

(Signature)

(Notary Public or Commissioner of Deeds,  
Date Commission expires \_\_\_\_\_)

NOTICE: Any false Statement(s) made herein are punishable as a CLASS "A" Misdemeanor, pursuant to Section 210.45 of the Penal Law of the State of New York.

Subscribed and Verified under Penalty of Perjury

(Signature of Deponent)

Date 92

1914

PREPARE IN TRIPLICATE Dist: Orig. atchd to Accusatory Instrument to City Court, Duplicate to Command making  
INSTRUCTIONS ON BACK



Buffalo Police Department

Buffalo, New York

Arrest No. \_\_\_\_\_

STATE OF NEW YORK

COUNTY OF ERIE

CITY OF BUFFALO

SS:

(Type below headings)

\*(Strike out non-applicable words / phrases)

(DEFENDANT'S NAME)

Date 7 Sept 14 19\_\_\_\_In the matter of Time Disc, charged with the offense of \_\_\_\_\_

(NAME OF OFFENSE)

Section

in violation of Chapter \_\_\_\_\_

Subdivision 145.00-1 240.26-1,3☐ Vehicle & Traffic Law of New York State☒ Penal Law of New York State

Section \_\_\_\_\_

☐ Ordinances of the City of Buffalo

(DEPONENT'S NAME)

(DEPONENT'S ADDRESS NO.

STREET

CITY/STATE)

VERA MASI DRONCKOWSKI

AM

deposes and says that at about 2:30 PM on 204 day of 1350 19\_\_\_\_ in the City of Buffalo.

\*(STRIKE OUT NON-APPLICABLE WORDS/PHRASES)

\*A. OF MY OWN KNOWLEDGE. \*B. UPON INFORMATION AND BELIEF \_\_\_\_\_

This past weekend 8/29 the teamed at Admiral Apt 7B destroyed Marine's office plus private property, floor got torn all "put Temp Tack's on floor for people to step on -

Before 8/29 I am one of the gardening people and going in to the building he open the door and brushes head against my shoulder making me very unstable since I have a disability standing on my feet due to age (78) Back + knee problems. I am also very afraid of him the way he looks around lobby, hallway, talking to himself + in a ~~fast~~ tongue to me I can't understand.

JURAT

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_

19\_\_\_\_

[Signature]

(Signature)

(Notary Public or Commissioner of Deeds,

Date Commission expires \_\_\_\_\_)

**NOTICE:** Any false Statement(s) made herein are punishable as a CLASS "A" Misdemeanor, pursuant to Section 210.45 of the Penal Law of the State of New York.

Subscribed and Verified under Penalty of Perjury

Vera Masi Dronckowski

(Signature of Deponent)

Date 9/2/14 19\_\_\_\_

City Court of Buffalo - Department of Police  
Central Booking Bureau

14-245-0756

Supporting Declaration

State of New York, County of Erie, City Court of Buffalo

In the matter of the defendant(s)/respondent(s) named below:

Defendant: Respondent(s)

DOB

AFN

James A. DiG2 Oneil

[REDACTED]-69

14:05951-98

On 5/30/14 ~ 6/15/14  
at approximately \_\_\_\_\_ I.

AT Approximately 1715 hrs a tan car coming out of the parking lot across Admiral 7 marine Dr. Apt. He drove around a school bus, And drove up on the grass and pulled right across to the flowers. And he got out lifted his car trunk and turned around and pulled down his pants then he pulled them up and drove around flowers in between the bus and took off

Please take notice, pursuant to CPL 710.30, of the People's intent to offer at trial, evidence of defendant's statements to a public servant as referenced above.

My relationship to this person is \_\_\_\_\_

I will attend court to testify in regard to this matter.

NOTICE: False statements made herein are punishable as a Class A Misdemeanor pursuant to Section 210.45 of the New York State Penal Law.

Scott Hayton  
Deponents Signature

9/2/14  
Date



P-63 (9/82)

## SUPPORTING DEPOSITION

Buffalo Police Department  
Buffalo, New YorkCD 14-245-0756Arrest No. 14-05951.98

STATE OF NEW YORK

COUNTY OF ERIE

CITY OF BUFFALO

SS:

\*(Strike out non-applicable words/phrases)

(Type below headings)

(DEFENDANT'S NAME)

Date September 2 20 14In the matter of James Diaz Oneil, charged with the offense of \_\_\_\_\_  
(NAME OF OFFENSE)

Section \_\_\_\_\_

in violation of Chapter \_\_\_\_\_

Subdivision \_\_\_\_\_

Section \_\_\_\_\_

☐ Vehicle & Traffic Law of New York State☒ Penal Law of New York State☐ Ordinances of the City of Buffalo

(DEPONENT'S NAME)

(DEPONENT'S ADDRESS NO.)

STREET

CITY/STATE

Mary Ellen McCann 7 Marine Drive #11H Bflo, NYdeposes and says that at about 530 AM on 31 day of August 2014 in the City of Buffalo.

\*(STRIKE OUT NON-APPLICABLE WORDS/PHRASES)

\*A. OF MY OWN KNOWLEDGE. \*B. UPON INFORMATION AND BELIEF

makes Lowd comments, deliberately shouldered me into wall. Never know when he will appear. Scarce talking & had Blood & Blue on shoulder.

## JURAT

Sworn to before me this 2nd day of Sept20 14PD [Signature]  
(Signature)(Notary Public or Commissioner of Deeds,  
Date Commission expires \_\_\_\_\_)

NOTICE: Any false Statement(s) made herein are punishable as a CLASS "A" Misdemeanor, pursuant to Section 210.45 of the Penal Law of the State of New York.

Subscribed and Verified under Penalty of Perjury

Mary Ellen McCann  
(Signature of Deponent)

Date \_\_\_\_\_ 19\_\_\_\_